

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
HOLLISTER FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT  
DOI-BLM-CA-0900-2009-012-EA  
FLTFA Lands Sale (Uvas Creek)**

**DATE INITIATED:** October 1, 2008

**CONTROL NUMBER:** DOI-BLM-CA-0900-2009-012-EA

**CASE FILE/SERIAL NUMBER:** CACA 50168-03

**PROPONENT:** BLM

**PROJECT:** FLTFA Lands Sale

**LOCATION:** Uvas Creek, Santa Clara County  
MDM T10S, R1E, Sec 3, Lot 1

**AFFECTED ACREAGE:** 23.60

**USGS 7.5' QUADRANGLE:** Loma Prieta

**LAND STATUS:** Public

**SPECIAL DESIGNATION AREA:** NA

**AUTHORITY:** Federal Land Management and Policy Act (FLPMA)  
Federal Land Transactions Facilitation Act (FLTFA)

**LAND USE PLAN CONFORMANCE:**

The proposed action is subject to and in conformance with the Hollister Resource Management Plan of 2007 in accordance with Title 43 Code of Federal Regulations 1610.5-3. The management plan provides “the goal for lands and realty management is to provide lands, interests in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration.”

To achieve the goal for lands and realty management, the following objectives are established:

- Make public land available for disposal that meets the disposal criteria contained in Section 203(a) of the FLPMA;

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## **RELATIONSHIP TO OTHER PLANS, PROGRAMS, AND POLICIES**

On July 25, 2000, Congress passed the Federal Land Transaction Facilitation Act (FLTFA), which authorized the Secretary of the Interior and the Secretary of Agriculture to retain a percentage of the funds received from land sales to use to purchase private lands in federally designated areas. The BLM is considering a number of lands sales in the Hollister Field Area to implement the RMP and raise funds to acquire land as authorized by FLTFA.

On September 28, 2009, Santa Clara County Open Space Authority requested to purchase 112.67 acres of public land, that is adjoining or nearby property that they already owned. Santa Clara Open Space Authority would keep the lands as open space.

This environmental assessment addresses the proposed sale of 23.60 acres located in Santa Cruz County (T10S, R1E, Sec. 3, Lot 1). The proposed sale of an additional 89.07 acres nearby will be addressed in two separate environmental assessments (DOI-BLM-CA-0900-2009-13 and DOI-BLM-CA-0900-2009-14).

## **CONSISTENCY WITH LOCAL ZONING AND GENERAL PLAN:**

Correspondence was submitted to the County offices on October 14, 2008 and no adverse comments were received concerning any planning or zoning issues.

## **PURPOSE AND NEED FOR PROPOSED ACTION:**

The purpose of the proposed action is to transfer small parcels of public lands into private ownership and to generate funds pursuant to the Federal Land Transactions Facilitation Act (FLTFA). The proposed action is needed to dispose of lands which are difficult and uneconomic to manage as part of the public lands and because the existing available funds in the FLTFA land disposal are not sufficient to purchase lands that have been nominated for acquisition in California.

The sale would implement a major goal of the RMP, to improve management of public lands, by disposing of scattered parcels while potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

## **PROPOSED ACTION AND ALTERNATIVES:**

### **Proposed Action**

The proposed action is a direct sale of an approximately 23.60 acre public land parcel described as: T. 10 S., R. 1 E., Sec. 3, Lot 1, Mount Diablo Meridian (refer to attached map).

Santa Clara Open Space Authority would purchase the parcel from the United States (U.S.) for not less than \$80,000, which is the fair market value of the land. The sale would include the conveyance of both the surface and mineral estate, although the U.S. would retain reservation for ditches and canals.

## No Action Alternative

Under the no action alternative, the proposed land sale would not be undertaken. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans.

The Federal land parcel would continue to be available for disposal as directed, in the RMP. Other sales or exchange opportunities would be considered in order to benefit acquisition of private property within a designated managed unit identified in the RMP. The Federal lands would remain open to the location of mining claims and locatable mineral development and other public land laws (subject to BLM regulations).

## Alternatives Considered but not Analyzed in Detail:

BLM considered other public lands in Santa Clara County for possible sale. In evaluating other public lands for possible sale, the BLM considered such factors as conformance with the Hollister RMP, expected land values, market interest, physical and legal access, existing resource issues and information and management efficiencies. Ultimately the public lands BLM is proposing for sale at this time were selected for the following reasons: 1) the lands were identified for disposal in the 1984 Hollister RMP and remain available for sale under the 2007 Hollister RMP revision, 2) existing resource information indicated the lands had no important resource values, 3) and the lands had no physical or legal public access. BLM may in the future consider other public lands for sale that were not considered in detail in this environmental assessment.

At this time, BLM believes a direct sale is the best way to achieve BLM's management objectives and, based on the lack of public interest, BLM does not believe competitive bid sale for the public lands described above is an alternative requiring further consideration.

## AFFECTED ENVIRONMENT

Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Air Quality		X	Native American Values		X
ACEC/RNA		X	Special Status Species		X
Cultural Resources		X	Vegetation		X

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Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Environmental Justice		X	Wastes, Hazardous/Solid		X
Farmlands, Prime/Unique		X	Water Quality (ground/surface)		X
Fish and Wildlife	X		Wetlands/Riparian Zones		X
Floodplains		X	Wild & Scenic Rivers		X
Invasive Weeds		X	Wilderness		X

The following elements of the human environment, subject to review specified in statute, regulation or executive order, are not located within the project area: Ecologically Critical Area, Floodplains, Prime or Unique Farm Lands, Wetlands and Riparian Zones, and Wild and Scenic Rivers, Wilderness, or Areas of Critical Environmental Concern (ACEC).

## Lands & Realty

The Hollister Field Office administers approximately 284,000 acres of Bureau of Land Management (BLM) public lands, primarily located in Monterey, San Benito, and western Fresno counties. Many of the other public lands managed by the Hollister Field Office in San Mateo, Santa Clara, Santa Cruz, Alameda, Contra Costa, Stanislaus, and Merced counties consist of small, scattered parcels with little to no public access and are commonly used for unauthorized activities such as illegal dumping, illicit drug operations, and some limited non-motorized recreational opportunities (i.e. hunting, target shooting, etc.).

In 2007, the Bureau of Land Management (BLM) approved the Record of Decision (ROD) for the Hollister Resource Management Plan (RMP) providing guidance for management of public lands administered by the Hollister Field Office. The RMP identified the need to pursue land tenure adjustments to ensure more efficient management of the public lands, to reduce conflicts with other public and private landowners, and to provide more consistency and logic in land use patterns within the Hollister Resource Area.. As a result, the 2007 ROD identifies a total of approximately 46,500 acres of public lands for disposal in Section 3.12.2. Figures 22-27 in the 2007 ROD show where these parcels are located.

The 2007 ROD also directs BLM to acquire lands with high resource values, including biological resources and recreation opportunities, especially in special management areas, including wilderness study area (WSAs) and Areas of Critical Environmental Concern (ACECs). Other management actions, including LTEN-C5, LTEN-C6, & LTEN-C7 (ROD, pg. 3-37), describe stipulations for public lands

available for disposal and other provisions for acquiring lands from willing sellers to enhance management efficiency or to contribute to the fulfillment of resource management goals and objectives.

## **Air Quality**

The proposed land sale is located within the North Central Coast Air Basin. The North Central Coast Air Basin is comprised of a single air district, the Monterey Bay Unified APCD, and consists of Santa Cruz, San Benito, and Monterey Counties. The entire air basin currently violates both the State 24-hour and the annual average PM10 standards. However, the air basin is designated as attainment for the State PM2.5 annual average standard.

## **Water Quality**

Surface waters may occur in an unnamed drainage that converges with Uvas Creek down slope along the southwest corner of the parcel, but only during wet winter months when annual precipitation exceeds average.

## **Soils**

No official soil survey exists for western Santa Clara County. Soils of the parcel are generally mapped as at Gaviota-Vallecitos-Los Gatos complex. Slope on much of the parcel is very steep, but well-vegetated. Soil erosion hazard is moderate to very high.

## **Biological Resources**

### **Fish and Wildlife**

Fish and Wildlife on the parcel are those species expected in coastal chaparral/mixed woodland habitat, including Columbia black tailed deer (*Odocoileus hemionis*), red-tailed hawk (*Buteo jamaicensis*), mountain lion (*Puma concolor*), coyote (*Canis latrans*) and various small mammals, songbirds, reptiles, and insects. Fish species expected in the ephemeral creek present on the parcel include the Coast Range sculpin (*Cottus aleuticus*).

### **Vegetation**

The Uvas Creek parcel contains four primary vegetation series including chamise, interior live oak shrub, canyon live oak, and mixed conifer series (Sawyer and Keeler-Wolf 1995). Chamise, interior live oak, and canyon live oak dominate most of the parcel on the steep, rocky slopes. Mixed conifer series (redwood [*Sequoia sempervirens*] and Douglas fir [*Pseudotsuga menziesii*]) dominates the unnamed seasonal drainage in the south-west corner of the parcel.

### **Special Status Species**

According to the California Natural Diversity Database (CNDDB), no listed plant species are known to exist on or near the Uvas Creek parcel. No listed plant species were observed on the parcel during the

site visit in early spring. Records of CNPS list 1B or list 4 species including Santa Cruz Mountains beardtongue (*Penstemon rattanii* var. *kleei*), Santa Clara red ribbons (*Clarkia concinna* ssp. *automixa*), Loma Prieta hoita (*Hoita strobilina*), arcuate bush mallow (*Malacothamnus arcuatus*), and Santa Cruz Mountains pussypaws (*Calyptridium parryi* var. *hessae*), exist for the vicinity of Loma Prieta. None of these CNPS list 1B or other list 1B plant species were observed on the parcel during the site visit.

No federally-listed animal species are known or suspected to occur on the site for the following reasons. The riparian habitat is ephemeral and cannot sustain special status anadromous fish such as Coho salmon or steelhead trout. Although some second growth Douglas firs are present, no groves are substantial enough to support marbled murrelet (*Brachyramphus marmorata*). Furthermore, no breeding habitat for murrelets is available anywhere higher in the canyon. Therefore the parcel is likely not a flyway for murrelets. No aquatic habitat for California red-legged frogs or California tiger salamander is located on or near the site, and the steep chaparral terrain provides no suitable upland habitat for either species.

### **Noxious and Invasive Plants**

Noxious and invasive plant species on the parcel include scotch broom (*Cystis scoparius*).

### **Cultural Resources and Native American Values**

Expected cultural resource types in this region are prehistoric habitation sites attributed to the Costanoan/Ohlone California Indians or historic logging and/or homestead sites from the 19th and early 20th centuries. There are no known Native American values associated with this particular parcel.

### **Environmental Justice**

No minority communities or low income communities are located within or adjacent to the proposed project areas. .

### **Hazardous or Solid Wastes**

An Environmental Preliminary Analysis was completed on December 1, 2009 by Hollister Field Staff. No evidence of “recognized environmental conditions” (RECs) was discovered.

## **ENVIRONMENTAL CONSEQUENCES: Proposed Action**

### **Lands & Realty**

The proposed action would provide minor long-term benefits BLM’s lands and realty program because it would allow the Hollister Field Office to dispose of a scattered parcel that is difficult and uneconomic to manage as part of the public lands and because the existing available funds in the FLTFA land disposal are not sufficient to purchase lands that have been nominated for acquisition in California. The proposed land sale would also support a major goal of the RMP, to improve management of public lands, and

potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

Under the proposed action, funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to support the goals and objectives outlined in the Hollister RMP (2007). Therefore, the proposed action would have the indirect beneficial impacts of increasing recreation opportunities and increased maintenance of significant values, such as special status species habitat.

Overall, the proposed actions would have a major long-term beneficial impact on lands and realty administration because it would assure more efficient management of public lands, reduce conflicts with other public and private landowners, and provide more consistency and logic in land use patterns within the Planning Area.

## **Air Quality**

There would be no direct impacts to air quality from the proposed sale of public lands because no emissions would be generated by the proposed action. Indirect impacts to air quality from development and use of the parcel would be negligible due to the relatively small-size and remote location of the public lands being considered for disposal.

## **Water Quality**

There would be no direct impacts to water quality from the proposed sale of public lands because the only stream segment on the parcel is an intermittent seasonal drainages that does not support surface flows during most years. Indirect impacts to water quality from development and use of the parcel would be negligible due to the relatively small-size and remote location of the public lands being considered for disposal.

## **Soils**

Due to its very steep topography, the Uvas Creek parcel has little use other than its present use as wildlife habitat. Therefore, no impacts to soils are expected from the land sale.

## **Biological Resources**

### **Fish and Wildlife**

Given the steep nature of the terrain and the likelihood that the parcel will be sold to Santa Clara Open Space Authority, a land conservation agency, it is unlikely that the property will be converted from its present habitat. Therefore impacts to fish and wildlife species are not expected from the sale.

## **Vegetation**

There is a small amount of harvestable timber (redwood and Douglas fir) within the small unnamed drainage at the south-west corner of the parcel. Harvest of the timber following land sale may adversely affect that riparian area, however, due to the steep topography of the parcel and relatively small amount of harvestable timber present, it is not expected that timber will be harvested. The remainder of the parcel is covered by chaparral and due to the steep topography of the parcel, current land use would not be expected to change, nor would the chaparral vegetation be altered.

## **Special Status Species**

Due to the absence of federally-listed species on or near the site and the reasonably foreseeable future use of the property under the ownership of the Santa Clara Open Space Authority, the proposed action is would have no adverse effects on special status species that occur in the region.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to preserve high quality habitat for special status species. Therefore, the proposed action would have minor indirect beneficial impacts on special status species and their habitat.

## **Noxious and Invasive Plants**

No significant changes in noxious and invasive species are expected since land use is not expected to change.

## **Cultural Resources and Native American Values**

There are no known archeological or cultural resources within the Area of Potential Affect (APE). Therefore, the proposed action would not adversely affect archeological, cultural, or Native American values.

## **Environmental Justice**

The proposed action would not result in disproportionately high or adverse human health or environmental effects on minority communities.

## **Hazardous or Solid Wastes**

Due to the absence of any hazardous or solid wastes from the site, no impacts would be expected from the land sale.

## **MITIGATION MEASURES**

No mitigation measures have been identified.



## **ENVIRONMENTAL CONSEQUENCES: No Action Alternative**

Under the no action alternative, the public land would not be sold to the Santa Clara Open Space Authority, but would still be available for disposal in the RMP. No active BLM management is anticipated. Funds from the sale would not be placed in the FLTFA land disposal account and Santa Clara's County tax base would not benefit from the transfer of these lands.

## **CUMULATIVE IMPACTS**

Cumulative impacts are those impacts on the environment which result "from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions." (40 CFR 1508.7). In this case, past and presently ongoing actions and activities in the project vicinity include the following:

BLM is considering a number of lands sales in the administrative boundary of the Hollister Field Office under the FLTFA. Specifically, the Hollister Field Office is considering 15 parcels of land for disposal that total 528.96 acres of public lands that would potentially be sold through competitive bid or direct sale

In analyzing cumulative impacts, BLM considered existing environmental information as a relevant baseline for considering future impacts and has not attempted to list past actions in the area. The baseline information identified in the affected environment (above) is considered sufficient for determining the significance of cumulative effects and for making a reasoned choice between alternatives.

BLM has also not attempted to exhaustively list all present and reasonably foreseeable private actions, but has considered a summary of planned development from Santa Clara County's General Plan (1994). The parcel proposed for sale is in the Uvas Creek watershed and the impacts of the proposed sale are primarily relevant or important only within this region.

The appropriate geographic area for considering cumulative effects is based on whether the incremental impacts of the proposed sale would be felt locally, regionally or nationally. The incremental impact of increased water usage, although difficult to quantify, would also most likely be limited to the Uvas Creek watershed. Incremental impacts to biological resources would be negligible because the existing condition of the parcel would remain unchanged. The incremental impacts on aesthetics/visual resources would also be negligible because the existing condition of the parcel would remain unchanged.

The Final EIS (2006) determined cumulative impacts from management of lands and realty are limited to indirect on-the-ground impacts on other resources such as aesthetics, water quality, and biological resources that would occur as a result of land use authorizations. These impacts, combined with impacts from previous land acquisitions and improvements as well as the existing land uses and impacts, would cause localized and permanent cumulative impacts on those resources. These impacts are described in each respective resource section of Chapter 4.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to support the goals and objectives outlined in the Hollister RMP (2007). Therefore, it is reasonably foreseeable that the proposed action would lead to future acquisitions that would off-set the reduction of public land acres as a result of disposal and even potentially lead to an increase in the amount public lands in the Hollister Resources Area.

Potential off-site impacts, if any, are expected to be minor and would largely depend on the public lands disposals and acquisitions carried through. For example, acquisitions of areas with high recreation potential could result in off-site impacts on local access roads. Additionally, land use authorizations, including communications, utility corridors, and energy development, could also result in off-site impacts on local access roads.

Overall, these land tenure adjustments would have a long-term beneficial effect on BLM's lands and realty program because they would promote management efficiency and improve opportunities for multiple use management of public lands.

## **REFERENCES**

Sawyer, J. O., and T. Keeler-Wolf. 1995. A manual of California vegetation. California Native Plant Society. Sacramento, California, USA. 471 pp.

## **CONSULTATION**

Native American Heritage Commission- Sacramento, CA  
Santa Clara County Open Space Authority – Patrick Congdon, General Manager  
Local Property Owners  
US Fish & Wildlife Services

## **LIST OF PREPARERS**

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## NOTIFICATION

Notification of the proposed action and analysis has been posted on the Hollister Field Office NEPA web page during its undertaking.

## DOCUMENT REVIEW

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Planning and Environmental Coordinator

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Date

